

Judge Berman

SHENWICK & ASSOCIATES
655 Third Avenue, 20th Floor
New York, New York 10017
(212) 541-6224

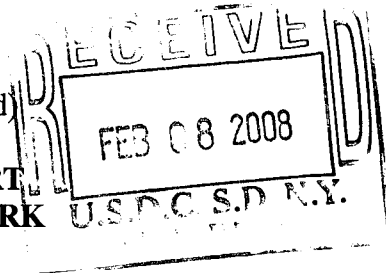
By: Martha J. Brosius, *Of Counsel* (MB3696)
BROSIUS TRASK LLP
420 Lexington Avenue, Suite 2800
New York, New York 10170
(212) 661-0065

08 CV 01303

HORWOOD MARCUS & BERK CHARTERED
180 North LaSalle Street, Suite 3700
Chicago, IL 60601

By: Hal J. Wood (*Pro Hac Vice* Application to be filed)
Stavros S. Giannoulis (*Pro Hac Vice* Application to be filed)

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**



REVCON, INC.,

Plaintiff,

v.

ALARON TRADING CORP.,

Defendant.

Case No. 08 CV 01303
ECF CASE / RMB

NOTICE OF REMOVAL TO FEDERAL COURT

TO PLAINTIFF REVCON, INC.:

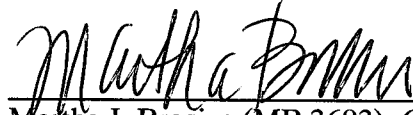
PLEASE TAKE NOTICE THAT Defendant ALARON TRADING CORPORATION, hereby gives notice that on February 8, 2008, it filed a Notice of Removal of this action in the United States District Court for the Southern District of New York, pursuant to 28 U.S.C. §1332.

A true copy of Defendant's Notice of Removal, as filed with the United States District Court, is attached hereto as Exhibit "A".

Dated: New York, New York
February 10, 2008
8

Yours, etc.

By:



Martha J. Brosius (MB 3693), *Of Counsel*

Brosius Trask LLP

420 Lexington Avenue, Suite 2800

New York, New York 10170

(212) 661-0061

Attorneys for Defendant Alaron Trading Corp.

TO:

James H. Shenwick
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655 Third Avenue, 20th Floor
New York, New York 10017
Attorneys for Defendant Alaron Trading Corp.

Hal J. Wood
Stavros S. Giannoulis
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180 North LaSalle Street, Suite 3700
Chicago, Illinois 60601
Attorneys for Defendant Alaron Trading Corp.

Gregory Papadopoulos
REVCON, INC.
800 5th Avenue, Apt. 14B
New York, New York 10005
Plaintiff Pro Se

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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

REVCON, INC.,

Plaintiff,

V.

ALARON TRADING CORP.,

Defendant.

Case No. 08 CV 01303
ECF CASE / RMB

DEFENDANT'S NOTICE OF REMOVAL

TO THE CLERK OF THE ABOVE-ENTITLED COURT:

PLEASE TAKE NOTICE that defendant ALARON TRADING CORPORATION, by and through its undersigned counsel, hereby removes this action from the Supreme Court of the State of New York, New York County, to the United States District Court for the Southern District of New York, pursuant to 28 U.S.C. §1332, on the following grounds:

1. Defendant is a party to an action that was filed on or about December 26, 2007, in the Supreme Court of the State of New York, Civil Court of the City of New York, New York County, Index No. 07-604228 captioned as Revcon, Inc. v. Alaron Trading Corp (the "Action").

2. A true copy of the Complaint and all other process, pleadings, and orders are attached hereto as Exhibit "A." To the best of Defendant's knowledge, Exhibit A to this Notice contains all of the pleadings currently on file in the Action.

3. Defendant was served with the Summons and Complaint on January 10, 2008.

4. Plaintiff, REVCON, INC. was formed under the laws of the State of Florida with its principal place of business in New York. It is therefore a citizen of the State of Florida and the State of New York pursuant to 28 U.S.C. §1332(c)(1).

5. Defendant, ALARON TRADING CORPORATION, was formed under the laws of the State of Illinois and maintains its principal place of business in the State of Illinois. It is therefore a citizen of Illinois pursuant to 28 U.S.C. §§ 1332(c)(1), and is the only defendant that has been served with a Summons and Complaint in this action.

6. Defendant ALARON TRADING CORPORATION is not a citizen of New York, and there is complete diversity of citizenship between Plaintiff and Defendant.

7. This action is a civil action of which this Court has original jurisdiction under 28 U.S.C. §1332, and is one that may be removed to this Court by defendant pursuant to the provisions of 28 U.S.C. §1441(b) in that it is a civil action between citizens of different states, and the matter in controversy exceeds the sum of \$75,000.00, exclusive of interest and costs. Plaintiff alleges that defendant's actions involving allegedly improper and/or unauthorized trading of certain commodities and/or options incurred losses to plaintiff of approximately \$725,600.00.

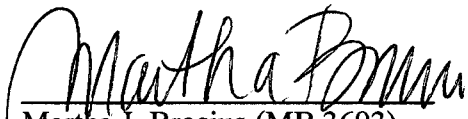
8. Defendant ALARON TRADING CORPORATION is, therefore, entitled to remove this action to this Court, pursuant to the provisions of 28 U.S.C. §1441, and thus seeks removal upon diversity of citizenship.

WHEREFORE, Defendant respectfully requests that this action be removed to the United States District Court for the Southern District of New York.

Dated: New York, New York
February 10, 2008
8

Respectfully submitted,

By:


Martha J. Brosius (MB 3693)
Brosius Trask LLP
420 Lexington Avenue, Suite 2800
New York, New York 10170
(212) 661-0061

Attorneys for Defendant Alaron Trading Corp.

TO:

James H. Shenwick
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New York, New York 10017
Attorneys for Defendant Alaron Trading Corp.

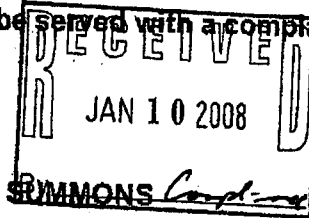
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Chicago, Illinois 60601
Attorneys for Defendant Alaron Trading Corp.

Gregory Papadopoulos
REVCON, INC.
800 5th Avenue, Apt. 14B
New York, New York 10005
Plaintiff Pro Se

EXHIBIT A

[Print in black ink all areas in bold letters. This summons must be served with a complaint.]

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK



REVCON INC

[your name(s)] Plaintiff(s)

- against -

ALARON TRADING CORP

[name(s) of party being sued] Defendant(s)

Index Number

07-604228

Date Index Number purchased

200

To the Person(s) Named as Defendant(s) above:

PLEASE TAKE NOTICE THAT YOU ARE HEREBY SUMMONED to answer the complaint of the plaintiff(s) herein and to serve a copy of your answer on the plaintiff(s) at the address indicated below within 20 days after service of this Summons (not counting the day of service itself), or within 30 days after service is complete if the Summons is not delivered personally to you within the State of New York.

YOU ARE HEREBY NOTIFIED THAT should you fail to answer, a judgment will be entered against you by default for the relief demanded in the complaint.

Dated: 12-26-07, 200__
[date of summons]

GREGORY PAPADOPOULOS President of
[sign your name] Revcon Inc

GREGORY PAPADOPOULOS PRESIDENT
[print your name] REVCON INC

NEW YORK
COUNTY CLERK'S OFFICE

DEC 26 2007

800 5th aven Apt 14B
NEW YORK, N.Y. 10065
917-754-7979

[your address(es), telephone number(s)]

NOT COMPARED

Defendant(s) ALARON TRADING CORP
822 W. WASHINGTON BVD
CHICAGO IL 60607
312-563-8000

[address(es) of defendant(s)]

Venue: Plaintiff(s) designate(s) New York County as the place of trial. The basis of this designation is: [check box that applies]

☒ Plaintiff(s) residence in New York County

☒ Defendant(s) residence in New York County - major operations in NYC

☐ Other [See CPLR Article 5]:

SUPREME COURT IN THE STATE OF NEW YORK
COUNTY OF NEW YORK

-----X

INDEX# _____

COMPLAIN

REVCON INC

Plaintiff

ALARON TRADING CORP.

Defendant

-----X

Revcon inc is a Florida Corporation operating at the time out of 61E77 apt 6A New York, NY 10021(Revcon)

Alaron Trading Corporation is believed to be an Illinois Corporation, operating out of Chicago Il. and New York, NY. Alaron Trading Corp. (Alaron) is a member of the Chicago Mercantile Exchange and the New York Mercantile exchange.

In May and June of 2006 both entities had substantial operations in the City of New York.

Revcon was not a member of any exchanges and therefore not subject to compulsory exchange arbitration. Also Revcon in its application to open an account with Alaron did not consent to arbitration in case of a dispute.

Recon's account was engaged in buying and selling S&P 500 options that trade in the Chicago Mercantile Exchange. Revcon has been engaged in this business since 1986

On May 12 2006 Revcon had an account with Alaron showing a credit balance of \$1,432,100.

Do to adverse market conditions Revcon made an effort to hedge the account by executing risk reducing trades and voluntarily reduced the credit balance to \$1,234,200 as of the close of May 23, 2006.

Commencing with the morning of May 24, 2006 Alaron commenced liquidation of the account by executing both risk reduction trades and risk increasing trades.

Alaron in an intentional and malicious manner and despite the objections of Revcon executed risk increasing trades which further exposed Revcon to the vagrancies of the market. Alaron continued to execute risk increasing trades until June 15, 2006. When they stopped the balance in the account was a mere \$460,900 (\$47,700 in total was withdrawn by Revcon on May 26 and on May 30) thus unnecessarily losing \$725,600.

Revcon seeks to recover \$725,600 plus interest since May 24 2006 plus costs plus an unspecified amount of punitive damages.

Gregory Papadopoulos
Plaintiff, prosc
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New York, N.Y. 10065
Tel# 917-754-7979

Alaron Trading Corp.
822 W. Washington Blvd.
Chicago Il, 60607
Tel# 312-563-8000